



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: Andrew S. Kanter      Group Art      3622  
Unit:  
Serial No.: 09/909,643      Examiner: Carlson, Jeffrey D.  
Filed: July 20, 2001  
For: DIRECT INTERNET ADVERTISING  
Matter No.: 0010-3

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

March 24, 2006

**RESPONSE TO NOTICE REQUIRING EXCESS CLAIMS FEES**

*Filing Date Granted*

Sir:

In response to the Notice Requiring Excess Claims Fees dated March 24, 2006, enclosed herewith is a made payable to the Director of U.S. Patents and Trademarks in the amount of \$43.00 to cover the outstanding fee for one independent claim. Also enclosed are (i) a copy of the Notice Requiring Excess Claims Fees; and (ii) a return address postcard for confirming receipt of these documents by the U.S. Patent and Trademark Office.

In view of the documents enclosed herewith, it is respectfully submitted that the application is in condition for further processing.

Respectfully submitted,

Andrew S. Kanter

A handwritten signature of Ernest D. Buff in black ink.

Ernest D. Buff  
His Attorney  
Reg. No. 25,833

**Enclosures**

Ernest D. Buff & Associates, LLC  
231 Somerville Road  
Bedminster, New Jersey 07921  
(908) 901-0220

Dated:  
March 24, 2006

**Certificate of Mailing by First Class Mail**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 24, 2006.



*Signature*

**Ernest D. Buff**

*Attorney of Record*

**March 24, 2006**

*(Date)*

0010-3-MPRL



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. BOX 1450  
ALEXANDRIA, VA 22312-1450  
[www.uspto.gov](http://www.uspto.gov)

NOTICE REQUIRING EXCESS CLAIMS FEES

The excess claim(s) filed on \_\_\_\_\_ is not accompanied by the appropriate payment of excess claims fees set forth in 37 CFR 1.16(h)-(j) or 1.492(d)-(f). Excess claims fees are required for each claim in independent form in excess of three (§ 1.16(h)), each claim (whether dependent or independent) in excess of twenty (note that § 1.75(c) indicates how multiple dependent claims are considered for fee calculation purposes) (§ 1.16(i)), and each application that contains a multiple dependent claim (§ 1.16(j)).

Since the application is not under a final rejection, applicant is given a time period of **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, to submit either: (1) the fee payment of \$ \_\_\_\_\_ or (2) an amendment in compliance with 37 CFR 1.121 that cancels the excess claim(s), in order to avoid ABANDONMENT. Extensions of this time period may be granted under 37 CFR 1.136, unless the excess claim(s) was presented in a preliminary amendment.

- ☐ 1. The funds in Deposit Account No. \_\_\_\_\_ are insufficient to cover the entire fee due. The balance is due within the time period set forth in this notice. See note below regarding the appropriate service charge.
- ☐ 2. The Credit Card payment to cover the entire fee due to Account \_\_\_\_\_ (Card type + last 4 digits ONLY) was refused. The balance is due within the time period set forth in this notice. See note below regarding the appropriate service charge.
- ☒ 3. The amendment that includes the excess claim(s) has not been entered, since applicant has failed to remit (or authorize charge to a Deposit Account or Credit Card) the fee as indicated on the attached Patent Application Fee Determination Record (PTO/SB/06). Remittance or authorization is due within the time period set forth in this notice. *2/21/06*
- ☒ 4. The fee submitted in this application is insufficient. A balance of \$ 43.00 *Is due in the 9/22/04 amendment* is due for presentation of excess claims (37 CFR 1.16(h)-(j) or 1.492(d)-(f)).
- ☐ 5. Other.

Explanation (Provide specific details of the required correction in order to assist the applicant. Indicate whether a service charge has been added to the fee due):

\_\_\_\_\_

\_\_\_\_\_

THE AMOUNT OF THE FEE(S) DUE IS SUBJECT TO CHANGE, GENERALLY ON OCTOBER 1 OF EACH YEAR (37 CFR 1.16, 1.21 & 1.492). THE AMOUNT OF THE FEE(S) DUE IS DETERMINED AS OF THE DATE A COMPLETE REPLY WITH THE APPROPRIATE FEE(S) IS RECEIVED BY THE OFFICE (37 CFR 1.8 & 1.10). BECAUSE THE AMOUNT DUE IS SUBJECT TO CHANGE, IT IS RECOMMENDED THAT APPLICANT CHECK THE CURRENT FEE SCHEDULE WHICH IS AVAILABLE ON THE USPTO'S WEBSITE AT: <http://www.uspto.gov/web/offices/ac/qs/ope/fees.htm>

Service Charges: There is a \$50 service charge for processing each payment refused (including a check returned "unpaid") or charged back by a financial institution (37 CFR 1.21(m)). There is a \$25.00 service charge for each month when the balance of a deposit account is below \$1000 at the end of the month (37 CFR 1.21(b)(2)).

*Kanda Brown*  
Technical Support Staff (TSS)

(571) 272-6577

Note to TSS: Please do NOT use this notice if the application is under a final rejection.

PTOL-319 (Rev 5-05)

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